

Message from the Governor.

The Chair laid before the Senate the following message from the Governor, which was read to the Senate:

Governor's Office,

Austin, Texas, March 1, 1923.

To the House of Representatives,
Thirty-eighth Legislature:

Gentlemen: I am returning herewith to you, with my disapproval and veto House Bill No. 309. This bill provides for the creation of the Ninety-fourth Judicial District Court, composed of Bexar County.

First. We have at this time entirely too many district courts in Texas. A considerable number of our courts now in existence have but little to do. Certainly we should be slow to create new courts while many of those we already have do not have sufficient work to do. There is no private business enterprise anywhere in Texas which would employ additional help to do a particular kind of work while many of those already in the employ of the institution did not have enough work to do to occupy their time. The private institution would readjust matters so that the employees would be kept reasonably busy with the work assigned them. It is conservatively estimated that the running expenses, directly connected with and incident to the operation of a district court, are approximately \$25,000 a year. There are now pending in the Legislature some fifteen or more bills creating that number of new district courts in Texas. All these bills will probably pass and come to my desk for consideration. The proponents of each particular bill think that their court, above all courts, is an absolute necessity. Scarcely any of the respective districts need, if anything, more than temporary relief.

Second. For the purpose of giving temporary relief it is neither wise nor necessary to establish a permanent court. When a court has been once established it seems absolutely impossible at any time to abolish it; courts and public offices once created seem to run on forever.

Two bills now pending before the Legislature, one providing for exchange of benches and the other providing for five district courts for all Texas, will give, according to the judgment of those who have consid-

ered the question, necessary relief, not only in a few particular cases in Texas, but throughout the entire State. We presume these two bills will pass both the House and the Senate within the next few days. These two contemplated laws, when put into operation, will, together, relieve both the civil and the criminal dockets of Bexar County.

Third. To say the least, if it is imperative that the District Courts of Bexar County be given temporary aid, the two proposed laws above mentioned would accomplish this; and when the next regular session of the Legislature convenes, if it were found that such aid had not been sufficient to relieve the congested condition of the court dockets, the State could then go to the expense of creating another permanent district court for Bexar County. The fact that there may be a large number of cases on a court docket does not necessarily mean that the courts need temporary relief, nor does it always indicate that the court is kept busy trying cases. All of us who have practiced law to any extent realize the truth of this statement. Bexar County now has four district courts, all running continuously and practically throughout the year. It is the consensus of opinion of a large number of those familiar with conditions in Bexar County that there is no need for the establishment of an additional district court in that county. The bar of San Antonio has gone on record, at two different meetings recently held, as being opposed to the creation of a new district court, on the grounds that it would be an unnecessary and needless expense. Under the statute and the rules of the district court, cases may be transferred on application, from one court to another and it so happens that in Bexar County there is always a jury present under the special jury law in effect in that county.

Believing that it would be unwise and not in keeping with the principles of strict and rigid economy to create another permanent district court at San Antonio at this time, I am returning herewith to you with my veto, this bill that seeks to estab-

lish another district court in Bexar County.

Respectfully,
(Signed): PAT M. NEFF,
Governor.